UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DECISION AND ORDER
13-CR-222S

SEVERIANO SANTOS-GONZALEZ
a/k/a SEVERIANO SANTOS-GONZALES,

Defendant.

1. On January 21, 2014, the Defendant entered into a written plea agreement (Docket No. 16) and pled guilty to Count 1 of the Indictment (Docket No. 6) charging a violation of Title 8 U.S.C. §§ 1326(a) and 1326(b)(1) (alien found in the United States after deportation/removal subsequent to a felony conviction).

2. On January 21, 2014, the Honorable Leslie G. Foschio, United States Magistrate Judge, filed a Report and Recommendation (Docket No. 18) recommending that Defendant's plea of guilty be accepted and the Defendant adjudicated guilty.

3. This Court has not received objections to the Report and Recommendation in accordance with 28 U.S.C. §636(b)(1) and Local Rule 59(b).

4. This Court has carefully reviewed *de novo* Judge Foschio's January 21, 2014, Report and Recommendation, the plea agreement, the Indictment, and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Foschio's Report and Recommendation, and will accept Judge Foschio's recommendation that Defendant's plea of guilty be accepted and that the Defendant be adjudicated guilty as charged.

IT HEREBY IS ORDERED, that this Court accepts Judge Foschio's January 21, 2014, Report and Recommendation (Docket No. 18) in its entirety, including the authorities cited and the reasons given therein.

FURTHER, that the plea of guilty of Defendant Severiano Santos-Gonzalez a/k/a Severiano Santos-Gonzales, is accepted, and he is now adjudged guilty of Title 8 U.S.C. §§ 1326(a) and 1326(b)(1).

SO ORDERED.

Dated: February 8, 2014
Buffalo, New York

s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court